

NOTICE OF REGULATIONS DEVELOPMENT (NORD) FORM

(Revised June 2018)

- (1) COMAR Number and Chapter Name: **10.06.02 Communicable Diseases — Rabies**
- (2) ☐ New Regulation ☒ Amendment ☐ Repeal (check all that apply)
- (3) Initiating Office: **Infectious Disease Epidemiology and Outbreak Response Bureau**
- (4) Contact person's name and phone number: **David Crum, 410-767-6703**
- (5) Summary of proposed action: **This proposal will amend COMAR 10.06.02.03 in order to update language about how the Department will ensure that no one is denied rabies postexposure treatment due to the inability to pay.**
- (6) Why are these proposed changes being initiated? (check all that apply)
- | | | | | |
|----------------------------------|---|----------------------------------|-----------------------------------|--|
| <input type="checkbox"/> State | <input type="checkbox"/> Federal Law or | <input type="checkbox"/> Federal | <input type="checkbox"/> Court | <input type="checkbox"/> Department/Board |
| <input type="checkbox"/> Statute | <input type="checkbox"/> Regulation | <input type="checkbox"/> Policy | <input type="checkbox"/> Decision | <input checked="" type="checkbox"/> Decision |
- (a) If changes are due to State Statute, indicate Bill #, Name, Year and Chapter Number of legislation and **attach** a copy of the legislation:
- (b) If changes are due to a Department/Board decision, explain in detail what prompted these changes: **The Department decided to amend COMAR 10.06.02.03 in order to update and clarify language describing how the Department will ensure that no one is denied rabies postexposure treatment due to the inability to pay. These amendments are based on recommendations that came out of a workgroup consisting of several representatives from Local Health Departments; more details are provided in item 13(a).**
- (7) Exemption Request for the Governor's Office. Please provide a justification for promulgation of this change. An exemption may be granted if the regulatory action is necessary to protect the health, safety and welfare of Marylanders (such as those that impact critical health and safety functions of the Department) or if it is being promulgated pursuant to federal, statutory, or judicial requirements. **This proposal will update regulatory language that explains how the Department will ensure no one is denied rabies postexposure treatment due to inability to pay. This is necessary to protect the health, safety, and welfare of Marylanders because rabies is a deadly disease, and up-to-date and correct policies must be in place to ensure that an individual who cannot afford rabies postexposure treatment can still receive the treatment.**
- (8) Do the proposed changes have a federal comparable? ☐ YES ☒ NO
- (9) Date draft will be sent to Regulations Office: 10/25/18
- (10) Describe potential impact on other MDH programs and indicate who will be included in the development and review of this proposal. **This proposal will not impact other MDH programs.**
- (11) List the groups outside of the Department who are interested/affected by in this proposal and who will be included in the development and review of this proposal. **None.**
- (12) Will small businesses be affected by this proposal? ☐ YES ☒ NO
- (a) **If yes**, please follow the *Guidelines for Estimating and Minimizing the Economic Impact of Regulations on Small Businesses*
- (b) **If no**, explain why they are not impacted: **Small businesses are not involved with providing payment for rabies postexposure biologics in Maryland.**

- (13) Are the Local Health Departments (LHD) impacted by this proposal programmatically, fiscally, or would their involvement otherwise be required? (Questionnaire EMAIL: DLLocalHealthOfficers_MDH@maryland.gov)

X YES NO

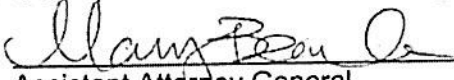
Note: For Deputy Secretary for Public Health Services Administrations, Medical Assistance, and Vital Statistics this information is to be based on the LHD's responses to the Regulations Questionnaire – attach the Questionnaire memo & any responses received.

- (a) If yes, explain how they are impacted and explain how they were involved in the development of this proposal. The proposed amendments update and clarify language regarding the existing MDH policy of ensuring that no person is denied rabies postexposure treatment due to the inability to pay. These changes provide a more defined framework, in which local health jurisdictions can operate and comply with statute.

A workgroup, consisting of several representative local health jurisdictions, was formed to discuss and formulate changes to the existing regulations. The proposal was also discussed at two Health Officer Roundtable Meetings and all Health Officers were given the opportunity to comment on the proposal before submission. The feedback from the Health Officers was taken into consideration and assisted with the determination of the final language for the proposed amendments.

- (b) If no, explain why they are not impacted.

- (14) Concept is consistent with existing law:


Assistant Attorney General

10/19/18
Date

Comments: _____

- (15) Deputy Secretary's Approval:


Deputy Secretary

11/1/18
Date